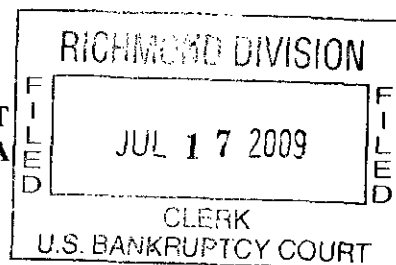


UNITED STATES BANKRUPTCY COURT
WELLS FARGO DISTRICT OF VIRGINIA
RICHMOND DIVISION



In re:)	
)	Chapter 11
CIRCUIT CITY STORES, INC, <i>et al.</i> ,)	
)	Case No. 08-35653-KRH
Debtors.)	
)	(Jointly Administered)

**PRELIMINARY RESPONSE OF WELLS FARGO BUSINESS CREDIT, INC. TO
DEBTORS' NINETEENTH OMNIBUS OBJECTION TO CLAIMS
(RECLASSIFICATION OF CERTAIN MISCLASSIFIED CLAIMS
TO GENERAL UNSECURED, NON-PRIORITY CLAIMS)**

Wells Fargo Business Credit, Inc. ("Wells Fargo"), in its capacity as the assignee and holder of claims 1014 through 1021 filed by Wells Fargo's assignor Photoco, Inc. ("Photoco"), and a consolidated claim identified by the Debtors as claim 1493 (collectively, the "Claims"), hereby files its response (the "Response") to the Debtors' Nineteenth Omnibus Objection To Claims (Reclassification Of Certain Misclassified Claims To General Unsecured, Non-Priority Claims) (the "Objection") [Docket 3703]. In support of its Response, Wells Fargo states as follows:

BACKGROUND

1. On November 10, 2008 (the "Petition Date"), the above-captioned debtors, including Circuit City Stores, Inc. ("Circuit City"), commenced these cases by filing voluntary petitions (the "Petitions") for relief under chapter 11 of Title 11 of the United States Code in the United States Bankruptcy Court for the Eastern District of Virginia.

2. In the 20 days prior to the Petition Date (the “503(b)(9) Period”), Photoco supplied Circuit City and or its affiliates with goods at various of Circuit City’s retail locations. Such goods were received by the Debtors in the ordinary course of their business. Invoices detailing the Photoco goods so delivered were attached as exhibits to the Claims.

3. On or about December 19, 2008, Photoco timely filed the Claims against Circuit City in the aggregate amount of \$383,040.17 , which amount represents the price of the goods provided to Circuit City during the 503(b)(9) Period. Wells Fargo is the assignee of the Claims.

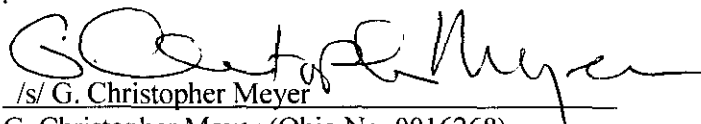
4. On or about June 22, 2009, the Debtors filed the Objection. In the Objection, the Debtors do not cite to any authority for the proposition that Wells Fargo should be denied administrative priority pursuant to 11 U.S.C. § 503(b)(9). Wells Fargo respectfully submits that the Administrative Claim should be allowed in accordance with the reasoning in *In re Plastech Engineered Prods.*, 2008 Bankr. LEXIS 4082 (Bankr. E.D. Mich. Dec. 10, 2008).

5. Wells Fargo reserves its rights to supplement this Response in advance of any final hearing on the Objection to the Claims with additional facts, law and the declaration of a person with personal knowledge of the relevant facts that support the Response, in accordance with the Order Establishing Omnibus Objection Procedures [Docket No. 2881] and the Notice of Objection [Docket No. 3703].

6. The Debtors should serve any reply to this Response on undersigned counsel.

WHEREFORE, Wells Fargo Business Credit Inc. respectfully requests that the Court enter an order allowing the Administrative Claim for \$383,040.17 and granting such further and other relief as the Court deems just and proper.

Dated: July 16, 2009



/s/ G. Christopher Meyer

G. Christopher Meyer (Ohio No. 0016268)

SQUIRE, SANDERS & DEMPSEY LLP

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127 Public Square

Cleveland, Ohio 44114-1304

(216) 479-8500

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Counsel for Wells Fargo Business Credit, Inc.

CERTIFICATE OF SERVICE

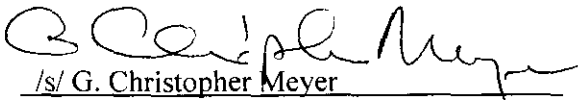
Pursuant to the *Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management and Administrative Procedures* entered on November 13, 2008 [Docket No. 130], I hereby certify that on this 16th day of July, 2009 the foregoing Response was served upon the following parties via electronic mail:

Skadden, Arps, Slate, Meagher & Flom, LLP
One Rodney Square
P.O. Box 636
Wilmington, DE 19899-0636
Attn: Gregg M. Galardi
Attn: Ian S. Fredericks

McGuireWoods LLP
One James Center
901 E. Cary Street
Richmond, VA 23219
Attn: Dion W. Hayes
Attn: Douglas M. Foley

Skadden, Arps, Slate, Meagher & Flom, LLP
333 West Wacker Drive
Chicago, IL 60606
Attn: Chris L. Dickerson

I further certify that the original of the foregoing Motion sent to the Court for filing by overnight mail on July 16, 2009.


/s/ G. Christopher Meyer

SQUIRE, SANDERS & DEMPSEY L.L.P.



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July 16, 2009

VIA FEDERAL EXPRESS

Clerk of Court
U.S. Bankruptcy Court
701 E. Broad Street, Suite 4000
Richmond, VA 23219

Re: In re: Circuit City Stores, Inc., et al. Case No. 08-35653-KRH

Dear Sir/Madam:

Enclosed for filing please find one original and two (2) copies of the Preliminary Response of Wells Fargo Business Credit, Inc. to Debtor's Nineteenth Omnibus Objection to Claims (Reclassification of Certain Misclassified Claim to General Unsecured, Non-Priority Claims). Please file the original and return the time-stamped copies in the envelope enclosed.

If you have any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "G. Christopher Meyer", is written over a horizontal line.

G. Christopher Meyer

GM/amb
Enclosures